

NOTE: CHANGES MADE BY THE COURT

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

COACH, INC., a Maryland Corporation,

Plaintiff,

vs.

ABNER'S FASHION, an unknown
business entity; ANABEL
COLLECTIONS, INC., a California
Corporation aka ANABEL INC.;
BELLAGIO U.S.A., an unknown business
entity; BHAG'S OF NEW YORK dba
LINE HANDBAGS, an unknown business
entity; BNB HANDBAGS, an unknown
business entity; BYEONG GI BAEG, an
individual; BOLSA BOLSA MEZON,
INC., a California Corporation; BONITA
TRADING CO., an unknown business
entity; MAX PURSE, LLC, a California
Corporation; MEZON, INC., a California
Corporation; MOKA HANDBAGS, an
unknown business entity; NEW
FASHION, an unknown business entity;
NEXT PAGE FASHION CORP., a
California Corporation; PRINCESS
PURSE, an unknown business entity; S.H.
TRADING, an unknown business entity;
SILVER SACK LLC, a California
Corporation; DANIEL LEE aka HYUNG
DONG LEE, an individual; TRIPLE
GEAR INC., a California Corporation dba
MW SALES, INC. and TRACK; JOHN
GOMEZ, an individual; and DOES 1-10,
inclusive,

Defendants.



Case No. 08-8191 AHM (RZx)

PRELIMINARY INJUNCTION
ORDER

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that after consideration of the pleadings, declarations and other evidence in this matter, and having heard the arguments of the parties in support and opposition hereto, the Court issues the following Order for Preliminary Injunction pursuant to Federal Rule of Civil Procedure 65 and the Lanham Act in the above entitled matter:

WHEREAS Plaintiff Coach, Inc. is the worldwide owner of the trademark “COACH” and various composite trademarks and assorted design components (“Coach Marks”). Coach Marks include *but are not limited to* the following marks:

Mark	Reg No.	Reg. Date
COACH	751, 493	6/25/63
	1,071,000	8/9/77
	2,088,706	8/19/97
 “Coach & Lozenge Design”	1,070,999	8/9/77
	1,309,779	12/18/84
	2,045,676	3/18/97
 “CC Design”	2,626,565	9/24/02

Plaintiff, having shown that it is likely to succeed in showing that Defendants Abner’s Fashion, Anabel Collections, Inc., Bellagio U.S.A., BHAG’s of New York, Bonita Trading Co., Max Purse, LLC, Mezon, Inc., Moka Handbags, New Fashion, Next Page Fashion Corp., Princess Purse, and Triple Gear, Inc. (“Investigated Defendants”) have used and are continuing to use counterfeits or infringements of the Coach Marks in connection with the manufacture, importation, distribution, offer for

1 sale and/or sale of merchandise, and the Court having made the necessary findings
2 orally and on the record at a hearing held on January 5, 2009,

3 IT IS HEREBY ORDERED that the Investigated Defendants, their officers,
4 agents, servants and employees and any persons in active concert or participation with
5 the Investigated Defendants are ENJOINED from the following conduct:

6 (a) Using the Coach Marks or any reproduction, counterfeit, copy
7 or colorable imitation of the Coach Marks in connection with the manufacture,
8 importation, purchase, distribution, marketing, advertisement, offer for sale and/or sale
9 of goods that are not the genuine products of Plaintiff Coach;

10 (b) Passing off, or inducing or enabling others to sell or pass off, any products
11 that are not Plaintiff's genuine Coach merchandise;

12 (c) Committing any other acts calculated to cause purchasers to believe that
13 Defendants' products are Plaintiff's genuine Coach merchandise, unless they are such,
14 and/or any acts calculated to cause purchasers to believe that Defendants' products are
15 connected with Plaintiff or Plaintiff's genuine merchandise bearing the Coach Marks,
16 unless they are so connected;

17 (d) Shipping, delivering, holding for sale, distributing, transferring or
18 otherwise moving, storing, concealing, or disposing of in any manner goods falsely
19 bearing the Coach Marks, or any reproduction, counterfeit, copy or colorable imitation
20 of the Coach Marks;

21 (e) Moving, destroying, concealing, or otherwise disposing of any products,
22 labels, merchandise, documents or other items used for reproducing the Coach Marks
23 or any reproduction, counterfeit, copy or colorable imitation thereof;

24 (f) Removing, destroying, concealing, or otherwise disposing of any 1)
25 computer programs, software, data, disks or other media; 2) business records or
26 documents; and/or 3) any other evidence relating to the manufacture, purchase,
27 distribution, marketing, advertisement, offer for sale and/or sale of goods falsely
28

bearing the Coach Marks or any reproduction, counterfeit, copy or colorable imitation of same; and

IT IS FURTHER ORDERED that during the pendency of this action, the Investigated Defendants' counterfeit Coach products and other related items, including, without limitation, molds, labels, patches, printing devices, advertising, packaging and other materials and merchandise seized pursuant to this Court's Order dated December 23, 2008, shall be impounded in the custody or control of Coach or Coach's agents as substitute custodian pending further order of this Court and shall be made available for inventory or inspection by the party from which it was seized or its counsel between 8:00 a.m. and 6:00 p.m.;

IT IS FURTHER ORDERED that Plaintiff must return to Defendants Moka Handbags and Mezon, Inc. all goods seized from those Defendants, by not later than January 14, 2009;

IT IS FURTHER ORDERED that all seized goods which are returned to said Defendants must be stored in a secured facility pending further order of this Court and shall be made available for inventory or inspection by Plaintiff Coach or its counsel during normal business hours;

IT IS FURTHER ORDERED, as the Court stated at the January 5, 2009 hearing, that Plaintiff must return all goods seized from individuals or entities not designated by this Court as "Investigated Defendants," by not later than 12:00 pm on January 7, 2009. This includes the goods seized from Hom Chong, the owner of Ueow Fashion. If Plaintiff is unable to locate any of the owners of these goods, it is to file a declaration by not later than January 14, 2009 establishing the steps it has taken to locate the owners.

DATED: January 7, 2009

By:



A. Howard Matz
United States District Judge